

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

WHITNEY DEARMITT,

Plaintiff,

v.

No. 1:25-cv-01076-JDB-tmp

FRANK BISIGNANO,
Commissioner of Social Security,

Defendant.

ORDER GRANTING DEFENDANT’S CONSENT MOTION TO REVERSE THE DECISION
OF THE ALJ AND REMAND THIS MATTER TO THE COMMISSIONER UNDER
SENTENCE FOUR OF 42 U.S.C. § 405(G)

The Commissioner of Social Security has moved the Court to reverse the decision of the Administrative Law Judge (“ALJ”) and remand this action to the Commissioner pursuant to Sentence Four of § 205(g), 42 U.S.C. § 405(g). (Docket Entry 15.)

Remand will expedite administrative review, ensure that the Commissioner has the opportunity to fully consider Plaintiff’s claim, and may ultimately make judicial review unnecessary. Remand by this Court is appropriate under 42 U.S.C. § 405(g), which provides:

The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.

See also Melkonyan v. Sullivan, 501 U.S. 89 (1991); *Newkirk v. Shalala*, 25 F.3d 316, 318 (6th Cir. 1994).

For the foregoing reasons, and pursuant to the Supreme Court’s decision in *Shalala v. Schaefer*, 509 U.S. 292 (1993), the Court hereby enters judgment pursuant to Rule 58 of the Federal

Rules of Civil Procedure reversing the decision of the ALJ and remanding this case to the Commissioner under Sentence Four of 42 U.S.C. § 405(g).

IT IS SO ORDERED this 22nd day of May 2025.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE